

Message Text

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ORIGIN EB-07

INFO OCT-01 ISO-00 TRSE-00 STR-04 ITC-01 COME-00 AGRE-00
SIG-02 MMO-04 FEA-01 CEA-01 CIAE-00 DODE-00 FRB-01
H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-02
AID-05 CIEP-02 SS-15 USIA-15 PRS-01 SP-02 OMB-01
AF-08 ARA-10 EA-09 EUR-12 NEA-10 /140 R

DRAFTED BY EB/OT/STA:MCJONES:JH

APPROVED BY EB/OT/STA:JSSPIRO

TREAS:LPOTT

TREAS:WBARRERA

STR:MPOMERANZ

ITC:WHART

DOC:JDAVIS

USDA:RSCHOETTER (INFO)

----- 052579

R 082006Z DEC 76

FM SECSTATE WASHDC

TO ALL DIPLOMATIC POSTS

XMT AMEMBASSY ALGIERS

UNCLAS STATE 298594

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: US ACTIONS UNDER TRADE ACT OF 1974

REF: A) STATE 035949 FEBRUARY 13, 1976 B) STATE 191508

AUGUST 3, 1976

INFORM CONSULS AS APPROPRIATE

BECAUSE OF SEVERAL REQUESTS FOR MORE RECENT INFORMATION
ON THE ADMINISTRATION OF THE TRADE ACT OF 1974 THAN PRE-
SENTED IN REF B, FOLLOWING ARE LISTS OF ANTIDUMPING, COUNT-
ERVAILING DUTY, ESCAPE CLAUSE AND SECTION 301 INVESTIGA-
TIONS TO DATE IN 1976.

1. ANTIDUMPING INVESTIGATIONS

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A) THE MOST RECENT SIGNIFICANT DEVELOPMENT IN THE FIELD OF
ANTIDUMPING WAS THE ISSUANCE OF FINAL DISCONTINUANCES AND
TERMINATIONS IN THE ANTIDUMPING INVESTIGATIONS OF AUTO-
MOBILES FROM EIGHT COUNTRIES. TERMINATIONS WERE ISSUED

FOR THE FIVE COMPANIES (TOYOTA, NISSAN, HONDA, PORSCHE AND ROLLS ROYCE) FOUND NOT TO BE SELLING AT LESS THAN FAIR VALUE; DISCONTINUANCES WERE ISSUED FOR ALL OTHER COMPANIES INVOLVED.

B) FOLLOWING ARE TWO LISTS OF ANTIDUMPING CASES. THE FIRST

CONSISTS OF CASES COMPLETED TO DATE IN 1976. "NO SLFV" INDICATES THAT THE TREASURY DID NOT FIND SALES AT LESS THAN FAIR VALUE. "INJURY" OR "NO INJURY" REFERS TO THE DETERMINATION OF THE INTERNATIONAL TRADE COMMISSION AFTER TREASURY HAS MADE A DETERMINATION OF SLFV. "NO REASONABLE INDICATION OF INJURY" REFERS TO AN ITC FINDING IN A 30 DAY PRELIMINARY INQUIRY INTO INJURY, A NEW PROCEDURE INSTITUTED BY THE TRADE ACT OF 1974. "DUMPING FINDING" INDICATES WHETHER TREASURY HAS FORMALLY ISSUED A FINDING, WHICH OCCURS SEVERAL WEEKS AFTER AN ITC FINDING OF INJURY. THE SECOND CONSISTS OF ANTIDUMPING INVESTIGATIONS IN PROGRESS AS OF DECEMBER 8, 1976.

ANTIDUMPING INVESTIGATIONS COMPLETED, JANUARY 1 - DECEMBER 8, 1976

1. WATER CIRCULATING PUMPS SWEDEN DISCONTINUED
2. BIRCH 3-PLY DOORSKINS JAPAN INJURY; DUMPING
..... FINDING
3. BUTADIENE ACRYLONITRILE JAPAN NO INJURY
4. WATER CIRCULATING PUMPS U.K. INJURY; DUMPING
..... FINDING
5. MULTIMETAL LITHOGRAPHIC MEXICO NO REASONABLE INDICATION OF INJURY
.....
6. POLYMETHYL METHACRYLATE JAPAN NO INJURY
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POLYMERS

7. AC ADAPTORS JAPAN NO SLFV
8. ACRYLIC SHEET JAPAN INJURY; DUMPING
..... FINDING
9. CERAMIC BRICK & TILE CANADA NO INJURY
10. TAPERED ROLLER BEARINGS JAPAN DUMPING FINDING
(THE ITC MADE A FINDING OF LIKELIHOOD OF INJURY IN 1975 BUT BECAUSE OF LITIGATION, THE PUBLICATION OF DUMPING FINDING WAS DELAYED.)

11. AUTOMOBILES JAPAN DISCONTINUED;
..... TERMINATED FOR
..... TOYOTA, NISSAN,
..... HONDA
12. AUTOMOBILES WEST DISCONTINUED,
..... GERMANY TERMINATED FOR
..... PORSCHE
13. AUTOMOBILES BELGIUM DISCONTINUED
14. AUTOMOBILES U.K. DISCONTINUED;
..... TERMINATED FOR
..... ROLLS ROYCE
15. AUTOMOBILES ITALY DISCONTINUED
16. AUTOMOBILES FRANCE DISCONTINUED
17. AUTOMOBILES SWEDEN DISCONTINUED
18. AUTOMOBILES CANADA DISCONTINUED
19. SKI BINDINGS & PARTS WEST NO INJURY
..... GERMANY
20. SKI BINDINGS & PARTS AUSTRIA NO INJURY

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21. SKI BINDINGS & PARTS SWITZERLAND NO INJURY

22. TANTALUM ELECTROLYTIC JAPAN NO INJURY
FIXED CAPACITORS

23. INDUSTRIAL VEHICLE CANADA NO SLFV
TIRES

24. KNITTING MACHINERY ITALY NO INJURY

25. PORTLAND HYDRAULIC MEXICO NO INJURY
CEMENT

26. AUTOMOBILE BODY DIES JAPAN DISCONTINUED

ANTIDUMPING INVESTIGATIONS IN PROGRESS ON NOVEMBER
1976

REFERRED TO INTERNATIONAL TRADE COMMISSION FOR DETER-
MINATION OF INJURY

1. MELAMINE IN CRYSTAL JAPAN DUE 12/20/76

FORM

TREASURY INVESTIGATING SALES AT LESS THAN FAIR VALUE

..... FINAL DETERMINATION

2. DIGITAL COMPUTER JAPAN DUE 1/4/77

SCALES

3. MONOSODIUM GLUTAMATE KOREA DUE 2/14/77

..... TENTATIVE DETERMINATION

4. ROUND-HEAD STEEL DRUM JAPAN DUE 12/11/76

PLUGS

5. ABOVE-GROUND METAL- JAPAN DUE 12/20/76

WALLED SWIMMING POOLS

6. CLEAR SHEET GLASS ROMANIA DUE 1/8/77

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7. PRESSURE SENSITIVE ITALY DUE 2/14/77

PLASTIC TAPE

8. PRESSURE SENSITIVE WEST DUE 3/2/77

PLASTIC TAPE GERMANY

9. PARTS FOR SELF-PRO- CANADA DUE 4/7/77

PELLED BITUMINOUS PAVING

EQUIPMENT

10. RAILWAY TRACK MAINTENANCE- AUSTRIA DUE 5/1/77

EQUIPMENT

11. SACCHARIN JAPAN DUE 5/29/77

12. SACCHARIN KOREA DUE 5/29/77

2. COUNTERVAILING DUTY CASES COMPLETED JANUARY 6 -

DECEMBER 8, 1976

NEGATIVE DETERMINATION (NO BOUNTIES OR GRANTS)

1. CERAMIC WALL TILE PHILIPPINES

AFFIRMATIVE PLUS WAIVER

2. CHEESE NORWAY

3. CHEESE FINLAND

4. CHEESE SWEDEN

AFFIRMATIVE (RATE OF CVD)

5. FROZEN, BONELESS BEEF EC (APPROX. 21 CENTS/LB)

6. 2 CASTOR OIL PRODUCTS BRAZIL (11.3 PERCENT)

7. CAP SCREWS ITALY (2.4 PERCENT)

8. GLASS BEADS CANADA (2 PERCENT)

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9. VITAMIN K SPAIN (10.5 PERCENT)

COUNTERVAILING DUTY INVESTIGATION IN PROGRESS ON
DECEMBER 8, 1976

..... FINAL DETERMINATION

1. SCISSORS AND SHEARS BRAZIL DUE 2/9/77

2. COTTON YARN BRAZIL DUE 3/9/77

3. FISH CANADA DUE 4/1/77

4. BICYCLES REPUBLIC OF DUE 4/19/77

..... CHINA

5. NUTS,BOLTS & CAPSCREWS JAPAN DUE 4/21/77

6. HANDBAGS REPUBLIC OF DUE 5/24/77

..... CHINA

7. HANDBAGS KOREA DUE 5/24/77

8. ZINC SPAIN DUE 6/17/77

9. TOMATO PRODUCTS ITALY DUE 7/2/77

10. SILICON STEEL ITALY DUE 10/1/77

11. CHAINS & PARTS THEREOF ITALY DUE 10/1/77

12. LEATHERWEARINGAPPAREL KOREA DUE 10/18/77

13. CORDAGE KOREA DUE 10/28/77

3. SECTION 201 (ESCAPE CLAUSE)

A) SPECIALTY STEEL REMAINS THE ONLY INSTANCE IN WHICH
THE U.S. HAS IMPOSED IMPORT RESTRICTIONS UNDER SECTION 201
OF THE TRADE ACT OF 1974. SINCE REF B WAS SENT, HOW-

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EVER, THE INTERNATIONAL TRADE COMMISSION (ITC) HAS
"REOPENED" (1) THE MUSHROOM CASE AT THE REQUEST OF THE

PRESIDENT, WHICH WAS PROMPTED BY AN UNFORESEEN "UPSURGE
IN IMPORTS," AND (2) THE FOOTWEAR CASE AT THE REQUEST OF
THE SENATE FINANCE COMMITTEE BECAUSE OF "CHANGED
CIRCUMSTANCES, INCLUDING INCREASING IMPORTS AND RAPIDLY
DETERIORATING ECONOMIC CONDITIONS IN THE DOMESTIC FOOT-
WEAR INDUSTRY." THE MOST IMPORTANT RECENT 201 COMPLAINT
IS THAT ON TELEVISION RECEIVERS, WHERE 1975 U.S. IMPORTS
WERE VALUED AT \$786 MILLION.

B) IN THE FOLLOWING TABLE, AA REFERS TO ADJUSTMENT
ASSISTANCE, WHICH WAS DESCRIBED IN PARA 4A OF REF B,
WHILE AN ASTERISK INDICATES A RE-OPENED INVESTIGATION.

SECTION 201 (ESCAPE CLAUSE) INVESTIGATIONS SINCE JANUARY
1, 1975

..... COMPLETED IN 1975

PRODUCT (PRINCIPAL SUPPLIERS)	ITC FINDING	PRESIDENT'S DECISION
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1. DOORSKINS (JAPAN) NO INJURY

2. CIGAR WRAPPER TOBACCO NO INJURY

3. INDUSTRIAL FASTENERS NO INJURY
....(JAPAN)

COMPLETED AS OF DECEMBER 6, 1976

4. ASPARAGUS (MEXICO, 3-3 NO INJURY
....REPUBLIC OF CHINA)

5. SPECIALTY STEEL (JAPAN, INJURY ORDERLY MARKET-
SWEDEN, EC, CANADA) ING AGREEMENT
..... WITH JAPAN AND
..... QUOTAS

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6. SLIDE FASTENERS(JAPAN, 3-3 NO INJURY BUT
WEST GERMANY) RECOMMENDS AA

7. STAINLESS STEEL FLAT- INJURY AA
WARE (JAPAN, KOREA,

REPUBLIC OF CHINA,
WEST GERMANY)

8. NON-RUBBER FOOTWEAR INJURY AA

(KOREA, REPUBLIC OF CHINA,
BRAZIL, SPAIN, ITALY)

9. CERTAIN WORK GLOVES NO INJURY

(REPUBLIC OF CHINA,
HONG KONG, MEXICO,
KOREA, AUSTRALIA

10. MUSHROOMS (KOREA INJURY BUT ACCEPT ITC RE-
REPUBLIC OF CHINA) RECOMMENDS COMMENDATION

..... AA

11. FERRICYANIDE BLUE INJURY DECIDES ACTION
PIGMENT (JAPAN, EC) NOT IN NATIONAL

..... ECONOMIC
..... INTEREST

12. STAINLESS STEEL WIRE NO INJURY

(JAPAN)

13. SHRIMP (SOME 40 INJURY BUT ACCEPTS ITC RE-
COUNTRIES) RECOMMENDS COMMENDATION

..... AA

14. HONEY (MEXICO, CANADA, THREAT OF DECIDES ACTION
ARGENTINA, AUSTRALIA, INJURY WITH NOT IN NATIONAL
BRAZIL) TARIFF RATE ECONOMIC
..... QUOTA RECOM- INTEREST
..... MENDED

PENDING BEFORE THE ITC

15. PLANT HANGERS (HONG DUE 12/22/76
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KONG, PHILIPPINES,
PAKISTAN)

16. SUGAR (DOMINICAN DUE 3/17/77
REPUBLIC, BRAZIL, PERU,
WEST INDIES, AUSTRALIA)

17. MUSHROOMS (KOREA, DUE 3/20/77
REPUBLIC OF CHINA)

18. NONRUBBER FOOTWEAR DUE 3/28/77

19. TELEVISION RECEIVERS DUE 3/22/77
(JAPAN, REPUBLIC OF CHINA,

MEXICO)

4. SECTION 301 CASES PENDING ON DECEMBER 8, 1976

1. BARLEY MALT -- EXPORT SUBSIDIES ON THIRD MARKET

SALES (EC)

REQUESTED GATT ARTICLE XXII (1)

CONSULTATIONS EXPECTED SOON.

2. EGG ALBUMEN -- VARIABLE LEVY (EC)

INFORMAL DISCUSSIONS WITH EC CONTINUING.

3. PROCESSED FRUITS AND VEGETABLES -- MINIMUM IMPORT

PRICES(MIPS)LICENSES/SURETY DEPOSITS (EC)

GATT PANEL UNDER ARTICLE XXIII (2) HAS BEEN ESTABLISHED
AND IS EXPECTED TO MEET SOON.

4. WHEAT FLOUR -- EXPORT SUBSIDY ON THIRD MARKET SALES
(EC)

REQUESTED GATT ARTICLE XXII (1)

CONSULTATIONS EXPECTED SOON.

5. NON-FAT DRIED MILK (NFDM) -- MIXING REGULATIONS (EC)

GATT PANEL AUTHORIZED UNDER ARTICLE XXIII (2); PANEL IN
PROCESS OF FORMATION.

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6. CONSUMER ELECTRONIC PRODUCTS -- COMPLAINT ABOUT

"CONFISCATORY" DUTIES ON IMPORTS FROM U.S. (ROC)

HEARING HELD; CONSULTATIONS PROCEEDING WITH ROC.

7. CANNED FRUITS -- LEVY ON SUGAR ADDITIVES(EC)

SECTION 301 COMMITTEE PREPARING FOR INFORMAL CONSULTATIONS

WITH EC.

8. STEEL -- COMPLAINT THAT BILATERAL AGREEMENT BETWEEN

ECSC (EC) AND MITI (JAPAN) ALLEGEDLY DIVERTED SIGNIFI-

CANT QUANTITIES OF JAPANESE STEEL EXPORTS TO THE U.S.

HEARING TO BE HELD DECEMBER 9, 1976.

9. CITRUS AND CITRUS PRODUCTS -- COMPLAINT THAT PRE-

FERENTIAL DUTIES TO MEDITERRANEAN COUNTRIES

ADVERSELY AFFECT DUTY BINDINGS TO US (EC)

HEARING SCHEDULED FOR JANUARY 14, 1977.

ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 16 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRADE LAW, INFORMATION CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 08 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE298594
Document Source: ADS
Document Unique ID: 00
Drafter: EB/OT/STA:MCJONES:JH
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D760454-0824
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761293/baaaeqxg.tel
Line Count: 431
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 8
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: wolfsd
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUN 2004 by hattaycs>; APPROVED <06 AUG 2004 by wolfsd>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US ACTIONS UNDER TRADE ACT OF 1974
TAGS: ETRD, US, XX
To: ALL DIPLOMATIC POSTS
XMT ALGIERS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006